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Question of Cyprus

Oceans and the law of the sea

Letter dated 30 May 2014 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 27 May 2014, addressed to you by Mehmet Dânâ, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda items 42 and 76, and published in the next *Law of the Sea Bulletin*.

(*Signed*) Levent **Eler**
Deputy Permanent Representative
Chargé d'affaires a.i.

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Annex to the letter dated 30 May 2014 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I would like to refer to the series of letters from the Greek Cypriot Representative in New York dated 17 October 2013 (A/68/537-S/2013/622), 29 October 2013 (A/68/555-S/2013/634), 12 November 2013 (A/68/593-S/2013/662), 5 December 2013 (A/68/644-S/2013/720) and 13 February 2014 (A/68/759), which contain allegations on the violation of the so-called "sovereign rights" of the Greek Cypriot side within the context of its oil/natural gas exploration activities in the Eastern Mediterranean. In this connection, I would like to bring to your kind attention the following facts and considerations of the Turkish Cypriot side on the matter.

At the outset, I wish to reiterate that the Greek Cypriot administration, which purports to be the "Government of the Republic of Cyprus", has no legal or moral right to represent or act on behalf of the Turkish Cypriot people or the whole island. This also extends, among others, to the signing by the Greek Cypriot administration of bilateral agreements with the countries of the region, particularly those related to sovereignty, such as the delimitation of maritime jurisdiction areas and the conduct of oil/natural gas exploration activities in the Eastern Mediterranean before the settlement of the Cyprus issue.

The above-mentioned unilateral activities undertaken by the Greek Cypriot side before a comprehensive settlement prejudge and violate the fundamental and inherent rights and interests of the Turkish Cypriot people, who were the equal co-founding partner in the 1960 Republic of Cyprus and thus have equal rights and say over the natural resources of the island and the maritime areas of Cyprus. It is also an established understanding in the negotiations, including the current process, that issues related to the delimitation of maritime jurisdiction areas of the island of Cyprus as well as the decisions regarding exploration and the exploitation of the island's resources will be left to the discretion of the new partnership government, where Turkish Cypriots and Greek Cypriots will share power on the basis of political equality. It will be recalled that the attempts by the Greek Cypriot administration to create a fait accompli in the Eastern Mediterranean through unilateral acts such as delimitation of maritime jurisdiction areas and the conduct of oil/natural gas exploration activities have already been brought to your attention through our repeated representations. As is known, the Greek Cypriot administration signed maritime delimitation agreements with Egypt as early as 2003, with Lebanon in 2007 and with Israel in December 2010, to which the Turkish Cypriot side has registered its objections with the United Nations.

Greek Cypriot provocative activities have continued unabated and we have been left with no alternative but to take the necessary steps to protect the equal rights of the Turkish Cypriot people over the natural resources of the island. Within this context, a Continental Shelf Delimitation Agreement was signed between the Turkish Republic of Northern Cyprus and the Republic of Turkey on 21 September 2011 on the margins of the sixty-sixth session of the General Assembly in New York. Furthermore, in response to unilateral Greek Cypriot steps, the Turkish Republic of Northern Cyprus issued licences to the Turkish Petroleum Corporation in 2011. The research vessel *Barbaros Hayrettin Paşa* of the Turkish Petroleum

Corporation has conducted research activities in the areas within the framework of these licences.

After signing the Continental Shelf Delimitation Agreement, the Turkish Cypriot side underlined that the Agreement constituted a preventive measure aimed at dissuading the Greek Cypriot side from the perilous path it has embarked upon in order to create a fait accompli in the region.

The Agreement, which was ratified by the Parliament of the Turkish Republic of Northern Cyprus on 9 January 2012, delineates the relevant part of the continental shelves of Turkey and the Turkish Republic of Northern Cyprus in the Eastern Mediterranean on the basis of international law and principles of equity. It needs to be stressed that the Agreement does not in any way affect the legitimate, equal and inherent rights of the Turkish Cypriot people over the whole continental shelf of the island. It is also clearly stated in the Agreement that the Turkish Cypriot side and Turkey shall continue to contribute to the efforts towards finding a comprehensive settlement of the Cyprus issue.

I wish to stress, once again, that as the Turkish Cypriot side, we strive for peaceful dialogue and a negotiated solution to all issues at hand. In this spirit, we have clearly demonstrated our will to solve the hydrocarbon dispute created by the Greek Cypriot administration.

As the Turkish Cypriot side, we are ready and willing to explore and exploit the natural resources of the island in cooperation with the Greek Cypriot side on the basis of the principle of fair and equitable distribution. We believe that the revenue to be collected as a result of such a mutually acceptable arrangement shall be beneficial for the economies on both sides of the island and at the same time shall provide an essential contribution to the financing of a comprehensive settlement, which is our primary goal. To this end, the Turkish Cypriot side made a proposal on 24 September 2011 and tabled a revised version on 29 September 2012. However, the Greek Cypriot side did not respond to this proposal, which is still valid and on the table, but chose to continue its unilateral exploration and drilling activities on the resources off the island. If the Greek Cypriot administration responds positively to our constructive proposals, an important issue that has been exacerbating tension in the region will be settled in an amicable and mutually beneficial manner and will certainly help to establish an atmosphere of cooperation, rather than confrontation in the region.

At a time when a positive atmosphere prevails on the island following the resumption of the negotiations to reach a comprehensive settlement of the Cyprus problem under your mission of good offices, the cooperation of the two sides on the issue of hydrocarbon resources will, no doubt, vastly contribute to the ongoing process. As the Turkish Cypriot side, we are determined to maintain our constructive stance and direct all our efforts towards concluding the present negotiation process with a mutually acceptable comprehensive settlement. We sincerely believe that a final solution of the Cyprus problem is within our reach if the Greek Cypriot side decides to reciprocate in the same spirit instead of engaging in activities that are not compatible with this objective.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda items 42 and 76, and published in the next *Law of the Sea Bulletin*.

(*Signed*) Mehmet **Dânâ**
Representative
Turkish Republic of Northern Cyprus